

**VIRGINIA BOARD OF NURSING  
SPECIAL CONFERENCE COMMITTEE  
April 20, 2009**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on April 20, 2009, in Board Room 4, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D, Chairperson  
John M. Horn, L.P.N.

STAFF PRESENT: Jane Elliott, R.N., Ph.D., Discipline Staff

OTHERS PRESENT: Anne Joseph, Deputy Director, Administrative Proceedings Division  
Mary Beth Shelton, Adjudication Specialist (joined later)

CONFERENCES  
SCHEDULED: **Stacey Carey, R.N. 0001-165576**  
Ms. Carey appeared.

CLOSED MEETING: Mr. Horn moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:45 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Carey. Additionally, Mr. Horn moved that Dr. Elliott and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 10:00 A.M.

Mr. Horn moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION: Mr. Horn moved to issue an order of reprimand to Stacey Carey. The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Carey unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Carey within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

Ms. Joseph left the meeting, Ms. Shelton joined the meeting.

CONFERENCES  
SCHEDULED:

**Constance Martin, L.P.N. 0002-055829**

Ms. Martin appeared, accompanied by her husband, James Martin.

CLOSED MEETING:

Mr. Horn moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:30 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Martin. Additionally, Mr. Horn moved that Dr. Elliott and Ms. Shelton attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 11:50 A.M.

Mr. Horn moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION:

Mr. Horn moved to issue an Order making findings of fact and conclusions of law, but imposing no sanction on Constance Martin. The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Martin unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Martin within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES  
SCHEDULED:

**Esmon Thompson, R.N. 0001-062482**

Ms. Thompson appeared.

CLOSED MEETING:

Mr. Horn moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 12:20 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Thompson. Additionally, Mr. Horn moved that Dr. Elliott and Ms. Shelton attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 12:30 P.M.

Mr. Horn moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of

Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.  
The motion was seconded and carried unanimously.

**ACTION:**

Mr. Horn moved to issue an order to take no action at this time, contingent upon verification of Esmon Thompson's entry into the Health Practitioners Intervention Program within thirty days of the order becoming final and remaining in compliance with the terms of the monitoring contract with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Thompson unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Thompson within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

**CONFERENCES**

**SCHEDULED:**

**Patricia Scales, L.P.N. 0002-020736**

Ms. Scales appeared.

**CLOSED MEETING:**

Mr. Horn moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:05 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Scales. Additionally, Mr. Horn moved that Dr. Elliott and Ms. Shelton attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:**

The Committee reconvened in open session at 2:30 P.M.

Mr. Horn moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

**ACTION:**

Mr. Horn moved to issue an Order of reprimand to Patricia Scales.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Scales unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Scales within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED:

**Deanna Jones, R.N. 0001-120064**

Ms. Jones did not appear.

CLOSED MEETING:

Mr. Horn moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:50 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Jones. Additionally, Mr. Horn moved that Dr. Elliott and Ms. Shelton attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 2:55 P.M.

Mr. Horn moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION:

Mr. Horn moved to offer Deanna Jones a consent order to indefinite suspension of the right to renew her license until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Jones and the Board.

CONFERENCES

SCHEDULED:

**Betty Cosby, L.P.N. 0002-031106**

Ms. Cosby did not appear.

CLOSED MEETING:

Mr. Horn moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:57 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Cosby.. Additionally, Mr. Horn moved that Dr. Elliott and Ms. Shelton attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 3:05 P.M.

Mr. Horn moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

**ACTION:** Mr. Horn moved to close the case regarding Betty Cosby, and impose no sanction due to insufficient evidence to warrant disciplinary action by the Board of Nursing.  
The motion was seconded and carried unanimously.

**CONFERENCES  
SCHEDULED:** **Heather Harper, R.N. 0001-197158**  
Ms. Harper did not appear.

**CLOSED MEETING:** Mr. Horn moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 3:10 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Harper. Additionally, Mr. Horn moved that Dr. Elliott and Ms. Shelton attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.  
The motion was seconded and carried unanimously.

**RECONVENTION:** The Committee reconvened in open session at 3:27 P.M.

Mr. Horn moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.  
The motion was seconded and carried unanimously.

**ACTION:** Mr. Horn moved to offer Heather Harper a consent order for indefinite suspension of her license for not less than one year in lieu of a formal hearing until such time as she can appear before the Board and provide evidence that she is safe and competent to practice.  
The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Harper and the Board.

**ADJOURNMENT:** The Board adjourned at 3:30 P.M.

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Jane Elliott, R.N., Ph.D.  
Discipline Staff